REMARKS

The above identified patent application has been amended and reconsideration and reexamination are hereby requested. No additional fee is required.

The Examiner has rejected Claims 1-18 under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as the Invention.

Applicants have amended Claim 1 and Claim 10 to more clearly point out and distinctly claim the Invention. As amended, Applicants have provided clear antecedent basis for all elements in each of the Claims. Accordingly, Applicants submit that Claims 1-18 are now proper under 35 U.S.C. §112, second paragraph.

The Examiner rejected Claims 1, 3, 4, 10, 12, 13, 20, 21, 23, and 24 under 35 U.S.C. §103 as being unpatentable over Tsutsui et al (U.S. Patent No. 5,060,228) in view of Haas (U.S. Patent No. 5,115,532).

Applicants' Claim 1 calls for "...a first network segment..., a first network transfer device..., the first network transfer device applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header further including local status information and a plurality of status fields to indicate a message packet servicing, a switching device..., the switching device receiving said message packet with said second header and sending said message packet with said second header to a second port

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as selected by said switching address, and in response to said local status information and the plurality of status fields, and a second network transfer device..."

Tsutsui et al discloses a bridge communication system in which a learning table is search using a destination address.

Haas discloses a communication architecture for high speed networking. Specifically, at Col. 9, lines 19-23, Haas discloses ...the current values of parameters in the specified protocol are communicated throughout the network. This communication of parameters may be done by using special option fields 801 in an example packet format, as sohn in FIG. 8. The value of the parameters are employed by independent horizontal functions 402 through 410, i.e., placed into a polynomial.

Tsutsui et al in view of Haas neither describes nor suggest the switching device receiving said message packet with said second header and sending said message packet with said second header to a second port as selected by said switching address, and in response to said local status information and the plurality of status fields.

Moreover, there is no suggestion in Tsutsui in view of Haas that would lead one skilled in the art to provide a switching device receiving said message packet with said second header and sending said message packet with said second header to a second port as selected by said switching address, and in response to said local status information and the plurality of status fields. Accordingly, Claim 1 is patentably distinct over Tsutsui in view of Haas.

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Applicants' Claim 10 calls for the steps of "...sending... a message packet of a first format..., receiving said message packet at a first network transfer device..., ...said second header including a switching address translated from said destination address, said second header further including local status information and a plurality of status fields to indicate a message packet servicing, receiving at said switching device said message packet..., ...in response to said local status information and the plurality of status fields, receiving said message packet..."

Tsutsui et al in view of Haas neither describes nor suggest the step of said second header further including local status information and a plurality of status fields to indicate a message packet servicing, receiving at said switching device said message packet..., ...in response to said local status information and the plurality of status fields.

Moreover, there is no suggestion in Tsutsui in view of Haas that would lead one skilled in the art to provide the step of said second header further including local status information and a plurality of status fields to indicate a message packet servicing, receiving at said switching device said message packet..., ...in response to said local status information and the plurality of status fields. Accordingly, Claim 10 is patentably distinct over Tsutsui in view of Haas.

Applicants' Claim 20 calls for "... a first network segment..., a first network transfer device..., ...the first network transfer device applying a second header to said message packet, said second header including a switching address translated from said destination address, said second

header including local status information and a protocol class field, a switching device..., ...the switching device receiving said message packet with said second header and sending said message packet with said second header to a second port as selected by said switching address, and in response to said local status information and said protocol class field, and a second network transfer device..."

Tsutsui et al in view of Haas neither describes nor suggest the switching device receiving said message packet with said second header and sending said message packet with said second header to a second port as selected by said switching address, and in response to said local status information and said protocol class field.

Moreover, there is no suggestion in Tsutsui in view of Haas that would lead one skilled in the art to provide the switching device receiving said message packet with said second header and sending said message packet with said second header to a second port as selected by said switching address, and in response to said local status information and said protocol class field. Accordingly, Claim 20 is patentably distinct over Tsutsui in view of Haas.

Applicants' Claim 21 calls for "...a first network segment..., a first network transfer device..., ...the first network transfer device applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header including local status information and a local congestion status field, a switching device..., ...switching device receiving said message packet with

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said second header and sending said message packet with said second

header to a second port as selected by said switching address, and in

response to said local status information and said local congestion status

field, and a second network transfer device..."

Tsutsui et al in view of Haas neither describes nor suggest said

second header including a switching address translated from said

destination address, said second header including local status information

and a local congestion status field, a switching device..., ...switching device

receiving said message packet with said second header and sending said

message packet with said second header to a second port as selected by

said switching address, and in response to said local status information and

said local congestion status field.

Moreover, there is no suggestion in Tsutsui in view of Haas that

would lead one skilled in the art to provide said second header including a

switching address translated from said destination address, said second

header including local status information and a local congestion status field,

a switching device..., ...switching device receiving said message packet with

said second header and sending said message packet with said second

header to a second port as selected by said switching address, and in

response to said local status information and said local congestion status

field. Accordingly, Claim 21 is patentably distinct over Tsutsui in view of

Haas.

Applicants' Claim 23 calls for the steps of "...sending from one of said

stations of said first network segment a message packet..., receiving said

message packet at a first network transfer device..., the first network transfer device applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header including local status information and a protocol class field, receiving at said switching device said message packet with said second header and sending said message packet with said second header to a port of said switching device as selected by said switching address, and in response to said local status information and said protocol class field, receiving said message packet at said second network transfer device via said switching device and forwarding said message packet..."

Tsutsui et al in view of Haas neither describes nor suggest the steps of said second header including a switching address translated from said destination address, said second header including local status information and a protocol class field, receiving at said switching device said message packet with said second header and sending said message packet with said second header to a port of said switching device as selected by said switching address, and in response to said local status information and said protocol class field.

Moreover, there is no suggestion in Tsutsui in view of Haas that would lead one skilled in the art to provide the steps of said second header including a switching address translated from said destination address, said second header including local status information and a protocol class field, receiving at said switching device said message packet with said second header and sending said message packet with said second header to a port

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of said switching device as selected by said switching address, and in response to said local status information and said protocol class field. Accordingly, Claim 23 is patentably distinct over Tsutsui in view of Haas.

Applicants' Claim 24 calls for the steps of "...sending from one of said stations of said first network segment a message packet..., receiving said message packet at a first network transfer device..., ...the first network transfer device applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header including local status information and a local congestion status field, receiving at said switching device said message packet...,...in response to said local status information and said local congestion field, and receiving said message packet at said second network transfer device via said switching device and forwarding said message packet to said second network segment..."

Tsutsui et al in view of Haas neither describes nor suggest the steps of said second header including local status information and a local congestion status field, receiving at said switching device said message packet...,...in response to said local status information and said local congestion field.

Moreover, there is no suggestion in Tsutsui in view of Haas that would lead one skilled in the art to provide the steps of said second header including local status information and a local congestion status field, receiving at said switching device said message packet...,...in response to

said local status information and said local congestion field. Accordingly, Claim 24 is patentably distinct over Tsutsui in view of Haas.

The Examiner rejected Claims 2, 5, 11 and 14 under 35 U.S.C. §103 as being unpatentable over Tsutsui and Haas in view of Schroeder et al (U.S. Patent No. 5,088,091).

Applicants note that Claims 2 and 5 depend on Claim 1, and that Claims 11 and 14 depend on Claim 10. Claim 1 and 10 being patentable over Tsutsui in view of Haas, Applicants respectfully urge that Claims 2, 5, 11, and 14 are also patentable over Tsutsui in view of Haas.

The Examiner rejected Claims 6 and 15 under 35 U.S.C. §103 as being unpatentable over Tsutsui, Haas, and Schroeder, and further in view of Takada et al (U.S. Patent No. 5,220,562).

Applicants note that Claims 6 depends on Claim 1, and that Claim 15 depends on Claim 10. Claim 1 and 10 being patentable over Tsutsui, Haas, and Schroeder in view of Takada, Applicants respectfully urge that Claims 6 and 15 are also patentable over Tsutsui, Haas, and Schroeder in view of Takada.

The Examiner rejected Claims 7-9 and 16-18 under 35 U.S.C. §103 as being unpatentable over Tsutsui, Haas, Schroeder, and Takada, and further in view of Golestani (U.S. Patent No. 5,121,383).

Applicants note that Claims 7-9 depend on Claim 1, and that Claims 16-18 depend on Claim 10. Claim 1 and 10 being patentable over Tsutsui, Haas, Schroeder, and Takada, and further in view of Golestani, Applicants

respectfully urge that Claims 7-9 and 16-18 are also patentable over

Tsutsui, Haas, Schroeder, and Takada, and further in view of Golestani.

The Examiner rejected Claims 19 and 22 under 35 U.S.C. §103 as

being unpatentable over Tsutsui in view of Golestani.

Golestani discloses duration limited statistical multiplexing in packet

networks. Specifically, at Col. 4, lines 22-23, Golestani discloses that each

packet includes a loss priority class indicator p.

Applicants' Claim 19 calls for "...a first network segment..., a first

network transfer device...applying a second header to said message packet,

said second header including a switching address translated from said

destination address, said second header including local status information

and a service class field, a switching device...receiving ...and sending said

message packet... and in response to said local status information and said

service class field, and a second network transfer device..."

Tsutsui in view of Golestani neither describes nor suggests said

second header including local status information and a service class field, a

switching device...receiving ...and sending said message packet... and in

response to said local status information and said service class field, and a

second network transfer device.

Moreover, there is no suggestion in Tsutsui in view of Haas that

would lead one skilled in the art to provide said second header including

local status information and a service class field, a switching

device...receiving ...and sending said message packet... and in response to

said local status information and said service class field, and a second

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network transfer device. Accordingly, Claim 19 is patentably distinct over Tsutsui in view of Golestani.

Applicants' Claim 22 calls for the steps of "...sending from one of said stations of said first network segment a message packet..., receiving said message packet at a first network transfer device... applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header including local status information and a service class field, receiving at said switching device said message packet with said second header and sending said message packet with said second header to a port of said switching device as selected by said switching address, and in response to said local status information and said service class field, receiving said message packet at said second network transfer device via said switching device..."

Tsutsui in view of Golestani neither describes nor suggests the steps of applying a second header to said message packet, said second header including a switching address translated from said destination address, said second header including local status information and a service class field, receiving at said switching device said message packet with said second header and sending said message packet with said second header to a port of said switching device as selected by said switching address, and in response to said local status information and said service class field.

Moreover, there is no suggestion in Tsutsui in view of Haas that would lead one skilled in the art to provide the steps of applying a second header to said message packet, said second header including a switching

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address translated from said destination address, said second header including local status information and a service class field, receiving at said switching device said message packet with said second header and sending said message packet with said second header to a port of said switching device as selected by said switching address, and in response to said local status information and said service class field. Accordingly, Claim 22 is patentably distinct over Tsutsui in view of Golestani.

In view of the above amendments and arguments, it is submitted that Claims 1-24 are patentably distinct over Tsutsui, Haas, Schroeder, Takada, and Golestani, whether taken separately or in combination, and are proper under 35 U.S.C. §112, second paragraph. Accordingly, reconsideration and reexamination are hereby requested.

Respectfully submitted,
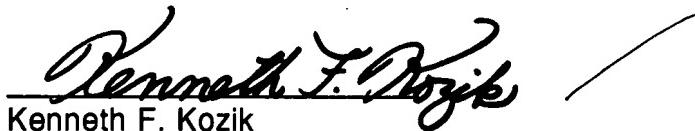
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